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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,435	10/17/2002	Chih-Hsiang Wu	ASTP0033USA	6763
27765	7590	05/22/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			DUONG, FRANK	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/065,435

Applicant(s)

WU, CHIH-HSIANG

Examiner

Frank Duong

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This Office Action is a response to communications dated 10/17/02. Claims 1-6 are pending in the application.

#### ***Information Disclosure Statement***

2. The information disclosure statement filed 11/06/02 complies with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. It has been considered and placed in the application file.

#### ***Specification***

3. The disclosure is objected to because of the following informalities:

Page 14, "Figures" should be deleted.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 2, 4 and 6 are rejected under 35 U.S.C 112, first paragraph, as based on a single means claim, i.e. "*a wireless device*", where a means recitation does not appear in combination with another recited element of means. A single means claim which covered every conceivable means for achieving the stated purpose was held

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nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor. In re Hyatt, 708 F.2d 712, 714-715, 218 USPQ 195, 197(Fed. Cir. 1983).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(a) as being anticipated by ETSI TS 125 322 V4.3.0 (2001-12) (Universal Mobile Telecommunications System (UMTS); Radio Link Control (RLC) protocol specification, pages 1-73, 2001) (hereinafter "Doc").

Regarding **claim 1**, in accordance with Doc reference entirety, Doc discloses a method for handling a triggered reset of a radio link control (RLC) entity in a wireless communications system (*pages 60-62*), the method comprising:

the RLC entity initiating an RLC reset procedure by causing a reset protocol data unit (RESET PDU) to be transmitted and starting a Timer\_RST timer (*page 60, section 11.4.2, bullet number 3*);

an upper layer stopping the RLC entity prior to the RLC entity receiving a RESET ACK PDU in response to the reset procedure (*page 60, section 11.4.2, bullet number 3*);

delaying a triggered reset of the RLC entity caused by expiration of the Timer\_RST timer until after the RLC entity has been continued by the upper layer (*page 62, section 11.4.5. Note: Incrementing VT(RST) by one and restart Timer\_RST is corresponding to this limitation*); and

the RLC entity processing the triggered reset after the RLC entity is continued by the upper layer (*page 61, section 11.4.4*).

As per **claim 2**, it calls for a wireless device with an intended use of method steps of claim 1. Claim drafted in this form normally encounters numerous problems and does not clearly claim the gist of the disclosed invention. Fig. 11.4 of the Doc depicts such wireless device (Sender or Receiver).

Regarding **claim 3**, in accordance with Kou reference entirety, Doc discloses a method for resetting a radio link control (RLC) entity in a wireless communications system, the method comprising:

the RLC entity initiating an RLC reset procedure by causing a reset protocol data unit (RESET PDU) to be transmitted and starting a Timer\_RST timer (*page 60, section 11.4.2, bullet number 3*);

an upper layer stopping the RLC entity prior to the RLC entity receiving a RESET ACK PDU in response to the reset procedure (*page 60, section 11.4.2, bullet number 3*); and

the RLC entity restarting the Timer\_RST timer if the Timer\_RST timer expires while the RLC entity is stopped by the upper layer (*page 62, section 11.4.5*).

As per **claim 4**, it calls for a wireless device with an intended use of method steps of claim 3. Claim drafted in this form normally encounters numerous problems and does not clearly claim the gist of the disclosed invention. Fig. 11.4 of the Doc depicts such wireless device (Sender or Receiver).

Regarding **claim 5**, in accordance with Doc reference entirety, Doc discloses a method for resetting a radio link control (RLC) entity in a wireless communications system, the method comprising:

the RLC entity initiating an RLC reset procedure by causing a reset protocol data unit (RESET PDU) to be transmitted (*page 60, section 11.4.2, bullet number 3*);

an upper layer stopping the RLC entity prior to the RLC entity receiving a RESET ACK PDU in response to the reset procedure (*page 60, section 11.4.2, bullet number 3*); and

enabling reception of RESET ACK PDUs while the RLC entity is stopped by the upper layer, and enabling transmission of RESET PDUs while the RLC entity is stopped by the upper layer (*page 62, section 11.4.5*).

As per **claim 6**, it calls for a wireless device with an intended use of method steps of claim 5. Claim drafted in this form normally encounters numerous problems and does not clearly claim the gist of the disclosed invention. Fig. 11.4 of the Doc depicts such wireless device (Sender or Receiver).

5. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuo (USP 6,987,981).

Regarding **claim 1**, in accordance with Kuo reference entirety, Kuo discloses a method for handling a triggered reset of a radio link control (RLC) entity in a wireless communications system (*col. 1, lines 11-14*), the method comprising:

the RLC entity initiating an RLC reset procedure by causing a reset protocol data unit (RESET PDU) to be transmitted and starting a Timer\_RST timer (*these limitations are common in the RLC reset procedure of the UTRAN system discussed in the background of this instant application or the Kuo patent at col. 1, line 58 and thereafter*);

an upper layer stopping the RLC entity prior to the RLC entity receiving a RESET ACK PDU in response to the reset procedure (*this limitation is common in the RLC reset procedure of the UTRAN system discussed in the background of this instant application or the Kuo patent at col. 2, lines 1-2 and thereafter*);

delaying a triggered reset of the RLC entity caused by expiration of the Timer\_RST timer until after the RLC entity has been continued by the upper layer (*Reset ACK PDU delayed depicted in Figs. 6 and discussed at col. 4, lines 1-11 and thereafter*); and

the RLC entity processing the triggered reset after the RLC entity is continued by the upper layer (*see Fig. 6; step 154, 186 or 262*).

As per **claim 2**, it calls for a wireless device with an intended use of method steps of claim 1. Claim drafted in this form normally encounters numerous problems

and does not clearly claim the gist of the disclosed invention. Fig. 2 of the Kuo depicts such wireless device (30 or 32).

Regarding **claim 3**, in accordance with Kou reference entirety, Kou discloses a method for resetting a radio link control (RLC) entity in a wireless communications system, the method comprising:

the RLC entity initiating an RLC reset procedure by causing a reset protocol data unit (RESET PDU) to be transmitted and starting a Timer\_RST timer (*these limitations are common in the RLC reset procedure of the UTRAN system discussed in the background of this instant application or the Kuo patent at col. 1, line 58 and thereafter*);

an upper layer stopping the RLC entity prior to the RLC entity receiving a RESET ACK PDU in response to the reset procedure (*this limitation is common in the RLC reset procedure of the UTRAN system discussed in the background of this instant application or the Kuo patent at col. 2, lines 1-2 and thereafter*); and

the RLC entity restarting the Timer\_RST timer if the Timer\_RST timer expires while the RLC entity is stopped by the upper layer (*at col. 2, lines 34-45, Kou discloses Sender 60 send a second reset PDU and restarts a second Reset timer for a second reset timeout is discussed thereat*).

As per **claim 4**, it calls for a wireless device with an intended use of method steps of claim 3. Claim drafted in this form normally encounters numerous problems and does not clearly claim the gist of the disclosed invention. Fig. 2 of the Kuo depicts such wireless device (30 or 32).



Regarding **claim 5**, in accordance with Kuo reference entirety, Kuo discloses a method for resetting a radio link control (RLC) entity in a wireless communications system, the method comprising:

the RLC entity initiating an RLC reset procedure by causing a reset protocol data unit (RESET PDU) to be transmitted *(these limitation is common in the RLC reset procedure of the UTRAN system discussed in the background of this instant application or the Kuo patent at col. 1, line 58 and thereafter);*

an upper layer stopping the RLC entity prior to the RLC entity receiving a RESET ACK PDU in response to the reset procedure *(this limitation is common in the RLC reset procedure of the UTRAN system discussed in the background of this instant application or the Kuo patent at col. 2, lines 1-2 and thereafter);* and

enabling reception of RESET ACK PDUs while the RLC entity is stopped by the upper layer, and enabling transmission of RESET PDUs while the RLC entity is stopped by the upper layer *(second reset PDUs are sent and received as depicted in Fig. 6 while the RLC entity is stopped).*

As per **claim 6**, it calls for a wireless device with an intended use of method steps of claim 5. Claim drafted in this form normally encounters numerous problems and does not clearly claim the gist of the disclosed invention. Fig. 2 of the Kuo depicts such wireless device (30 or 32).

**Conclusion**

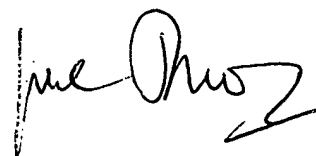
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sarkkinen et al (Patent Application Publication 2001/0029188).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Duong whose telephone number is 571-272-3164. The examiner can normally be reached on 7:00AM-3:30PM, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**FRANK DUONG  
PRIMARY EXAMINER**

May 16, 2006